

Remarks

This application has been carefully reviewed in light of the Office Action mailed April 2, 2008. At the time of the Office Action, claims 1-27 were pending in the application. In the Office Action, the Examiner rejects claims 1-27. By this Amendment, Applicants have amended claims 1-5, 13, 14, 19-21 and 23-27 to clarify the subject matter which the Applicants claim as the invention and to advance prosecution of this case. No new matter has been introduced by these amendments. Applicants do not admit that these amendments were necessary as a result of any cited art. Applicants respectfully request reconsideration of the above application in view of the following remarks.

Indefiniteness Rejection

Claims 14 and 15 stand rejected under 35 U.S.C. § 112, ¶ 2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 14 and 15 recite the limitation "the precious metal" in line 2 of each of these claims. According to the Examiner, there is insufficient antecedent basis for this limitation in claims 14 and 15. Applicants have amended claim 14 to add the phrase "the metal or metal-containing compound comprising a precious metal" to obviate the Examiner's rejection. Therefore, Applicants respectfully request withdrawal of this rejection.

Anticipation Rejection

Claims 1-8, 10-16 and 18-27 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,589, 147 (*Farnos et al.*). Applicants respectfully traverse this rejection because *Farnos et al.* fails to teach or suggest each and every feature of the pending claims.

The MPEP states that "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (citation omitted). The MPEP further states that "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." *Id.* (citation

omitted). Applicant submits that *Farnos et al.* fails to satisfy these requirements with respect to the pending claims.

Claim 1 is directed to a coarsening resistant automotive exhaust catalyst composition. As claimed, the composition requires "a component having barium metal ions bonded to a conjugate base oxide of an inorganic acid." *Farnos et al.* does not teach or suggest at least this limitation of claim 1. At best, *Farnos et al.* teaches that barium may be present in a catalyst or may be added to a catalyst. (col. 10, ll. 6-9.) *Farnos et al.* does not teach or suggest that barium ions bonded to a conjugate base oxide, as recited in claim 1. For at least this reason, *Farnos et al.* does not anticipate pending claim 1.

Accordingly, favorable reconsideration and withdrawal of the rejection of claim 1 and associated dependent claims under 35 U.S.C. §102(b) for at least the reason set forth above is respectfully requested.

Claims 2-8 and 9-16 are believed to be allowable for at least the same reasons as their corresponding base claims and further due to the additional features they recite. Separate and individual consideration is respectfully requested. For instance, claim 5 includes the additional feature of a "phosphate-doped alumina compound [included in the component] comprise[d] [of] a phosphate-doped gamma-alumina compound." *Farnos et al.* does not teach or suggest this feature. At best, *Farnos et al.* teaches the use of gamma alumina as a binder. (col. 5, ll. 33-41.) However, *Farnos et al.* does not teach or suggest doping the gamma alumina with phosphate, as recited in claim 5.

Claim 18 is directed to a NO_x trap including a catalyst composition. As claimed, the composition requires "a component having barium metal ions bonded to a conjugate base oxide of an inorganic acid." *Farnos et al.* does not teach or suggest at least this limitation of claim 18. At best, *Farnos et al.* teaches that barium may be present in a catalyst or may be added to a catalyst. (col. 10, ll. 6-9.) *Farnos et al.* does not teach or suggest that barium ions bonded to a conjugate base oxide, as recited in claim 18. For at least this reason, *Farnos et al.* does not anticipate pending claim 18.

Accordingly, favorable reconsideration and withdrawal of the rejection of claim 18 and associated dependent claims under 35 U.S.C. §102(b) for at least the reason set forth above is respectfully requested.

Claims 19-23 are believed to be allowable for at least the same reasons as their corresponding base claims and further due to the additional features they recite. Separate and individual consideration is respectfully requested. For instance, claim 23 includes the additional feature of a "phosphate-doped alumina compound [included in the component] comprise[d] [of] a phosphate-doped gamma-alumina compound." *Farnos et al.* does not teach or suggest this feature. At best, *Farnos et al.* teaches the use of gamma alumina as a binder. (col. 5, ll. 33-41.) However, *Farnos et al.* does not teach or suggest doping the gamma alumina with phosphate, as recited in claim 23.

Claim 24 is directed to a method of inhibiting coarsening in an automotive exhaust catalyst composition. The claimed method includes combining a metal or metal-containing compound with a component having barium ions bonded to a conjugate base oxide of an inorganic acid. *Farnos et al.* does not teach or suggest at least this limitation of claim 24. At best, *Farnos et al.* teaches that barium may be present in a catalyst or may be added to a catalyst. (col. 10, ll. 6-9.) *Farnos et al.* does not teach or suggest that barium ions bonded to a conjugate base oxide, as recited in claim 24. For at least this reason, *Farnos et al.* does not anticipate pending claim 24.

Accordingly, favorable reconsideration and withdrawal of the rejection of claim 24 and associated dependent claims under 35 U.S.C. §102(b) for at least the reason set forth above is respectfully requested.

Claims 25-27 are believed to be allowable for at least the same reasons as their corresponding base claims and further due to the additional features they recite. Separate and individual consideration is respectfully requested. For instance, claim 27 includes the additional step of "[modifying an alumina compound with a phosphorus-containing acid to obtain a phosphorus-modified alumina] ... comprise[d] [of] a phosphate-doped gamma-alumina compound." *Farnos et al.* does not teach or suggest this step. At best, *Farnos et al.* teaches the

use of gamma alumina as a binder. (col. 5, ll. 33-41.) However, *Farnos et al.* does not teach or suggest doping the gamma alumina with phosphate, as recited in claim 27.

Obviousness Rejections

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Farnos et al.* in view of U.S. Pat. Pub. No. 2003/0139288 (*Cai et al.*). Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Farnos et al.* in view of U.S. Pat. No. 5,747,401 (*Cuif*). Applicants respectfully traverse this rejection based at least in part upon their dependency from an allowable base claim, and further due to the additional features they recite. Separate and individual consideration is respectfully requested.

Applicants do not acquiesce in the Office's characterizations of the art. For brevity and to advance prosecution, Applicants may not have addressed all characterizations of the art and reserve the right to do so in further prosecution of this or a subsequent application. The absence of an explicit response by Applicants to any of the Office's positions does not constitute a concession to the Office's positions. The fact that Applicants' comments have focused on particular arguments does not constitute a concession that there are not other arguments for patentability of the claims. Applicants submit that all of the dependent claims are patentable for at least the reasons given with respect to the claims on which they depend.

CONCLUSION

For the foregoing reasons, Applicants have fully responded to the Office Action of April 2, 2008. Consequently, in view of the above amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, which allowance is respectfully requested.

The Commissioner is hereby authorized to charge the two-month extension fee of \$460 and any fee deficiency associated with the filing of this Paper to the Deposit Account of Applicants' assignee, Ford Global Technologies LLC, Deposit Account No. 06-1510.

If the Examiner believes that an in-person interview with Applicants' attorney and an inventor would advance the prosecution of this application in any manner, the Examiner is invited to contact Matthew M. Jakubowski, Attorney for Applicants, at Examiner's convenience at (248) 358-4400.

Respectfully submitted,

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